

MERTHYR TYDFIL COUNTY BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)
The Town and Country Planning (Development Management Procedure)
(Wales) Order 2012 (as amended)

FULL PLANNING PERMISSION

To: Mr James Howe c/o Mr Gary Phelps Stanwell Architects 147 Stanwell Road Penarth
CF46 3LL

WHEREAS you submitted an application on the 30th January 2024 to develop: Former Mount View Surgery Bridge Street Aberfan CF48 4QU short particulars of the application being as follows:-

Name of the Applicant

Mr James Howe
GTH Developments
Cyfarthfa Road
Merthyr Tydfil
CF48 1BS

Description of Proposed Development

Convert and increase height of building to provide 2 flats,
to include the erection of a bin store and enclosures (Full)

The Council in pursuance of its powers under the above mentioned Act and Order hereby **GRANTS PERMISSION** for the carrying out of the proposed development as described above and in accordance with the application and plans (if any) submitted with the application subject to compliance with the following conditions.

CONDITIONS

Please see attached.

Date: 5th February 2025

Signed:



(Director of Neighbourhood Services)

**IT IS IMPORTANT THAT YOU READ
THE NOTES ATTACHED TO THIS FORM**

CONDITIONS

- 1 The development shall begin not later than five years from the date of this decision.

Reason - To comply with Section 91 of the Town and Country Planning Act 1990.

- 2 The development shall be carried out in accordance with the following approved plans and documents:

- A105 rev 7 Proposed Site Plan, received: 3rd January 2025;
- A106 Rev 2 Proposed Plan, received: 3rd January 2025;
- A107 rev 3 Proposed Elevations, received: 3rd January 2025;
- A109 rev 2 Proposed Site Lighting, received: 3rd January 2025;
- Acer Ecology, Green Infrastructure Statement, received: 1st July 2024;
- Acer Ecology, Bat and Nesting Bird Survey, Version 6, received: 3rd January 2025;
- Acer Ecology, Landscape and Ecology Management Plan, version 2, received: 3rd January 2025;
- Email prepared by Aegae Consultant and sent to NRW, dated 22nd May 2024, received: 14th June 2024;
- Aegae, P/24/0026: Existing derelict structure (former doctor's surgery) to be converted into two single-bedroom maisonettes with sleeping accommodation on first floor. New roof with raised ridge level. Existing building to change of use to C3. | Former Mount View Surgery, Bridge Street, Aberfan (Addendum to Flood consequence Assessment), received: 27th March 2024
- Aegaea, Flood Consequence Assessment (FCA), AEG03298_CF48_Aberfan_01, received: 30th January 2024;

Reason -To ensure compliance with the approved plans and clearly define the scope of the permission.

- 3 **Prior to the commencement of development** samples/details of the material finishes shall be submitted to and approved in writing by the Local Planning Authority for the following:

- roof tiles;
- roof lights (to include section details);
- render finish.

The development shall be carried out in accordance with the approved details.

Reason - To ensure that the external appearance of the proposed development will be in keeping with the character of the conservation area in the interests of visual amenity and to accord with Policy SW11 of The Merthyr Tydfil Replacement Local Development Plan.

Condition 3 discharged on 09.04.25 App No. P/25/0070.

- 4 **Prior to the commencement of development**, a plan to scale, indicating the positions, dimensions, design and type of solar panels, to be erected, to include manufacturer name,

product name, and product colour, shall be submitted to and approved by the local planning authority. The solar panels shall be completed in accordance with the approved details prior to the beneficial use of the building.

Reason - To protect the character and appearance of the conservation area and ensure that the new development will be visually attractive in accordance with Policy SW11 of the Merthyr Tydfil County Replacement Local Development Plan.

Condition 4 discharged on 09.04.25 App No. P/25/0070.

- 5 Prior to the occupation of the flats hereby approved a plan indicating the positions, height, design, materials and type of boundary treatment to be erected on all boundaries, shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved before the occupation of the flats.

Reason - To ensure that the new development will be visually attractive and boundaries protected in the interests of amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

Condition 5 discharged on 09.04.25 App No. P/25/0070.

- 6 Prior to the occupation of the flats hereby approved, the enhancement measures proposed, as stipulated in the recommendations set out in the Bat and Nesting Survey (received 3rd January 2025), shall be implemented and shall be retained thereafter in perpetuity.

Reason - To protect the natural environment and important habitat in accordance with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

- 7 The car parking area hereby approved, as indicated on Drwg No: A105, rev 7, received 3rd January 2025, shall be completed in accordance with the approved details prior to the occupation of the flats and shall remain available for their designated use in perpetuity.

Reason - To ensure that vehicles are parked off the highway in the interests of highway and pedestrian safety in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 8 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason - To ensure that the new development will be visually attractive in the interests of amenity and biodiversity to accord with Policies SW11 and EnW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 9 **No development or site clearance shall take place**, until an Invasive Non-Native Species (INNS) Method Statement for JAPANESE KNOTWEED has been submitted to an approved

in writing by the local planning authority. The development shall only be carried out in accordance with the approved scheme.

Reason - To ensure compliance with the Wildlife and Countryside Act 1981.

Condition 9 discharged on 09.04.25 App No. P/25/0070.

- 10 No surface water from any increase in the roof area of the building and/or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Reason - To ensure adequate disposal of surface water drainage in accordance with LDP Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

- 11 Demolition or construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 09:00 to 14.00 on Saturdays and at no time on Sundays or Public Holidays.

Reason - To ensure that the noise emitted/activities are not a source of nuisance to occupants of nearby properties in accordance with Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. This planning permission does not provide consent to undertake works that require a European Protected Species (EPS) licence.

All bats and their roosts are protected under UK and European legislation. It is an offence to deliberately kill, injure, capture or disturb a bat or to recklessly damage or destroy their breeding sites or resting places.

If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

2. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

If works to any trees, hedgerows and/or other nesting bird habitat (including buildings with suitable features) are to be undertaken, they will take place outside of the bird nesting season. If the works must be undertaken during the nesting season (generally from 1st March until 31st August, although birds are known to nest outside of these dates in suitable conditions), a breeding bird survey will be required and must be carried out by a suitably qualified ecologist. Any active nests identified will be protected until the young have fledged.

Where a Schedule 1 species (as defined in the Wildlife and Countryside Act - <https://www.legislation.gov.uk/ukpga/1981/69/schedule/1> is involved, compensation for impacts, e.g., loss of nesting sites, will be devised and implemented.

NOTES

Your attention is drawn to the following:-

Appeals to the Planning & Environment Decisions Wales:

- If you are aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Planning & Environment Decisions Wales under Section 78 of the Town and Country Planning Act 1990 (as amended).
- If you want to appeal, then you must do so within **six months** of the date of this notice, using a form which you can get from Planning & Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ. Alternatively you can use Planning & Environment Decisions Wales website (www.gov.wales/planningappeal) to complete your appeal.
- The Planning & Environment Decisions Wales can allow a longer period of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Planning & Environment Decisions Wales need not consider an appeal if it seems that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any Development Order and to any directions given under a Development Order.
- In practice, the Planning & Environment Decisions Wales does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by them.

Purchase Notices:

- If either the Local Planning Authority or Planning & Environment Decisions Wales refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a Purchase Notice on the Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).

PLEASE NOTE: THIS NOTICE RELATES ONLY TO A PLANNING DECISION AND DOES NOT RELATE TO OTHER LEGISLATION INCLUDING ANY LEGISLATION UNDER:

BUILDING REGULATIONS
LISTED BUILDING LEGISLATION
HIGHWAY LEGISLATION

IF PLANNING PERMISSION HAS BEEN GRANTED IT IS ADVISABLE TO ESTABLISH WHETHER ANY OTHER FORM OF CONSENT IS REQUIRED AND TO OBTAIN SUCH CONSENT BEFORE COMMENCING DEVELOPMENT

Please quote the application number in all correspondence.